

Exhibit A

SIWELL, INC., D/B/A CAPITAL MORTGAGE
SERVICES OF TEXAS
PLAINTIFF

WILLIAM BERTHELETTE
AND LAND GORILLA, LLC
DEFENDANTS

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CASE No. 5:19-cv-00025

1. My name is Alexa C. Lunsford. I am the associate attorney for The Law Office of Keith C. Thompson, P.C. I am over the age of 18, of sound mind, and capable of making this affidavit. I swear and affirm the following statements are within my personal knowledge and are true and correct.

2. I have been involved in the above-styled suit between Siwell, Inc., d/b/a Capital Mortgage Services of Texas (“Capital”) and Land Gorilla, Inc., (f/k/a Land Gorilla, LLC) (hereinafter “Land Gorilla”) since its inception in 2018, first in my former capacity as a law clerk, and now as a

licensed attorney. This firm did not represent Capital in the associated arbitration as same was conducted in California, however it has represented Capital in all events taking place in the Texas State and Federal Courts. While all pleadings have been signed by Keith C. Thompson as lead attorney, I have conducted most, if not all, of the research and drafting this suit.

3. I was therefore responsible for drafting and filing Capital's Response to Land Gorilla's Application to Confirm Arbitration Award.

4. An electronic notice of Land Gorilla's Application was automatically forwarded to my email inbox from Keith C. Thompson on December 21, 2021, however at that time I was wrapping up in year-end business in preparation for the holiday leave. I was away from work and email from December 22, 2021 through December 28, 2021 and December 30, 2021 through January 2, 2021.

5. I became very sick with COVID symptoms on or about December 30, 2021 and remained away from work and email through January 4, 2021. I took a COVID test on January 4, 2021 and received my positive results on January 5, 2021. I returned to work on January 5, 2021 as I had been home for at least 5 days prior, pursuant to current CDC guidelines.

6. My absence due to holiday leave and illness resulted in a significant backlog of email communications occurring between roughly December 20, 2021 and January 5, 2021 that I was required to address. Additionally, all full-time staff members of our firm experienced similar illness and bouts of absence during the same time period, presumably leading to our collective failure to calendar our response deadline in this matter, contrary to our common practice.

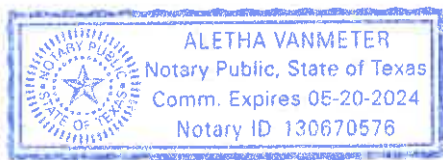
7. Due to the foregoing circumstances, I did not see or open the notice of Land Gorilla's Application until January 12, 2022, at which point I reached out to opposing counsel to confer over this motion, and immediately drafted Capital's response in order to avoid significant delay.

8. This oversight was beyond the control of Capital and was due to the mistake and inadvertence of its attorney.

Further affiant sayeth not.


ALEXA LUNSFORD

SUBSCRIBED AND SWORN TO BEFORE ME, by the said ALEXA LUNSFORD, this 13th day of January 2022 to certify which, witness my hand and seal of office.




NOTARY PUBLIC, STATE OF TEXAS